

REMARKS

1. Status of Application

This application is a division of application Ser. No. 09/908,414 filed July 18, 2001, now U.S. Patent No. 6,602,452, issued August 5, 2003.

This application includes claims 1, 2, 4, 5, 21, and 39-46. Claims 39 and 43 were rejected under 35 U.S.C. 112, as failing to comply with the written description requirement. Claims 1, 2, 4, 5, 21, 40-42, and 44-46 were rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 in view of any one of Payne (US Patent 5,316,701), Pitavy (US Patent 4,764,322), Lemelson (US Patent 4,285,903), or Manchak (US Patent 5,156,818).

By this response, claims 1 and 21 are amended, claims 5, 39, and 43 are cancelled, and claims 47 and 48 are added.

Applicant respectfully submits that the examiner's rejections contained in the November 29, 2005 Office Action have been traversed, and therefore, that the present application is in condition for allowance.

2. Amendments to Claims

Claim 1 has been amended to incorporate cancelled dependent claim 5 as an element of the invention, thereby adding to claim 1 the limitation of a mold "wherein the interior of said mold is sized to allow for the thickness of a liner to coat an inside surface of said mold."

Claim 21 has been amended to add a "means for inserting a liner material

into said mold wherein said liner material inserting means is fluidly connected to both an interior and an exterior of said mold” as an element of the invention. Support for this amendment may be found, for example, on page 3, line 21 to page 4, line 11.

Claims 5, 39, and 43 have been cancelled. The substance of claim 5 has been incorporated into claim 1, and claims 39 and 43 have been withdrawn.

New independent claim 47 has been added to recite a system for rotational molding of medical articles in which a “molded liner that coats the inside surface of said mold to make it seamless” is an element of the claim. Support for this amendments may be found, for example, on page 3, line 21 to page 4, line 11.

New independent claim 48 has been added to recite a system for rotational molding of medical articles which includes “a vent path extending into the said cavity utilizing concentric openings and parallel vapor lines from the mold to the exterior of the machine, such that gas may be circulated through the mold” as an element of the claim. Support for this amendments may be found, for example, on page 6, lines 15 to 20, in reference to Fig 1, and on page 8, lines 11 to 20, in reference to Fig. 2 and 3.

3. Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 4, 5, 21, 40-42, and 44-46 have been rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 (“the ‘785 patent”) in view of any one of Payne (US Patent 5,316,701), Pitavy (US Patent 4,764,322), Lemelson (US Patent 4,285,903), or Manchak (US Patent 5,156,818). Applicant respectfully submits that claim 1, as presently amended, overcomes the Examiner’s rejection under 35 U.S.C. § 103(a) based on the ‘785 patent in view of Payne, Pitavy, Lemelson, or Manchak.

The Examiner stated that the '785 Patent "discloses a rotational molding system substantially as claimed, comprising a multi-axis rotational molding machine mounting a two-part mold, each mold part having a hemispherical cavity shape.... the interior of the mold inherently being 'sized to allow for the thickness of a liner.'" However, nowhere in the '785 patent is the mold being sized to allow for the thickness of a liner actually disclosed. The interior of the mold does not have to inherently allow for the thickness of a liner, as medical articles may be molded without a liner, and the cavity may be only sized to allow for the medical article itself, without leaving space for the thickness of a removable liner. Similarly, the '795 patent does not have to inherently allow for a means for introducing a liner material in the disclosed mold. Applicant respectfully urges the Examiner that neither the '785 patent, nor any other cited prior art discloses or suggests a mold sized to allow for the thickness of a liner, or structure allowing for the introduction or use of liner material into a mold. Therefore, Applicant submits that the Examiner has failed to cite a combination of prior art which discloses each and every claim limitation, which thus renders the present rejection an impermissible "obvious to try" rejection (M.P.E.P. §§ 2143.03, 2144, 2145 X.B.). Nor does the Examiner cite to any teaching or suggestion in the '785 patent, or anywhere else in the prior art, to include sufficient space for the thickness of a liner in a system for the rotational molding of medical devices, such as the one in claim 1, nor a means for inserting a liner material in such a system, as in claim 21. (*Id.*, §§ 2143.01, 2143). As such, Applicant submits that the present rejections of claims 1 and 21 would also fail to meet the Examiner's burden of producing a case of *prima facie* obviousness (*Id.*, §§ 2142, 2143). Applicant respectfully requests that the Examiner withdraw the rejections of claim 1 and 21.

Since the '785 patent, or other combination of prior art, fails to teach or suggest each and every claim limitation expressly recited by claims 1 and 21, it also cannot render

unpatentable the inventions recited by those claims that depend from claims 1 and 21.

Therefore, claims 2, 4, 40, 41, and 42, all of which depend from claim 1, and claims 44, 45, and 46, all of which depend from claim 21 are not unpatentable over the '785 patent in view of the other prior art. Applicant respectfully requests that the Examiner withdraw the rejection of claims 2, 4, 40-42, and 44-46.

Furthermore, with regard to the solvent collection path (or "means") being a solvent condenser path (or "means") as claimed in claims 41 and 46, the Examiner states that "it would be obvious to a skilled artisan to have provided the solvent separator of '785 as a condenser," but does not cite any teaching or suggestion in either the '785 patent or other prior art in support. Therefore, Applicant submits that the Examiner has failed to cite a combination of prior art which discloses each and every claim limitation, which thus renders the present rejection an impermissible "obvious to try" rejection (M.P.E.P. §§ 2143.03, 2144, 2145 X.B). As such, Applicant submits that the present rejection of claim 1 would also fail to meet the Examiner's burden of producing a case of *prima facie* obviousness (*Id.*, §§ 2142, 2143). Applicant respectfully requests that the Examiner withdraw the rejection of claims 41 and 45.


CONCLUSION

It is respectfully submitted that the present application as amended is in condition

- for allowance and prompt notification thereof is requested. If the prosecution of this application
- can be advanced by a telephone conference, the Examiner is requested to call the undersigned at (212) 530-5363.

Respectfully submitted,

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